

Child Protective Services:

**A COMMUNITY
RESPONSE TO
SUPPORTING
FAMILIES AND
PROTECTING
CHILDREN**



A Guide for Community Service Providers
and Mandated Reporters

Abuse and neglect of children is a serious problem in Virginia. Each year in this state over 48,000 children are reported for suspected abuse or neglect. The Code of Virginia requires local social services departments to respond to all valid reports and to assist families in protecting their children from harm.

The purpose of the child protective services program is to protect children; support and preserve families, when possible; arrange protective and other needed services; and prevent maltreatment.

Better Ways to Protect Children

In recent years, as the volume and severity of reports has risen, states and localities have sought alternative ways to better protect children and help their families. One such strategy is known as community child protection. This approach is being utilized in a number of other states and

- Allows a flexible response by child protective services to allegations of child abuse based upon the severity of the report, immediacy of child safety concerns, and family needs; and
- Partners child protective services agencies with parents, community-based organizations, and informal networks in keeping children safe from maltreatment.



CHILD PROTECTIVE SERVICES

(CPS) REFORM

In 2000, the Virginia General Assembly passed legislation to establish a Child Protective Services Differential Response System allowing localities options when responding to reports of suspected child abuse or neglect. The Differential Response System was successfully piloted, for three years, in five areas of the state: Albemarle, Loudoun, Montgomery, Portsmouth, and York-Poquoson.

The following principles form the foundation of the Differential Response System:

- The safety and well-being of the child are the first goals of intervention;
- Parents have primary responsibility and are primary resources for their children;
- Families and communities are responsible for ensuring that children grow up in safe and healthy environments;
- Interventions must be needs driven as opposed to service driven;
- Service planning must be collaborative and based on the strengths and competencies of the family; and
- Services need to be culturally competent and community based.



CHILD ABUSE AND NEGLECT DEFINITIONS

Section 63.1-248.2 of the Code of Virginia defines an abused or neglected child as any child under 18 whose parent, or other person responsible for the care of the child:

- Causes or threatens to cause a nonaccidental physical or mental injury;
- Neglects or refuses to provide adequate food, clothing, shelter, emotional nurturing, or health care;
- Abandons the child;
- Fails to provide adequate supervision in relation to the child's age and level of development; and
- Commits or allows to be committed any illegal sexual act upon a child, including incest, rape, fondling, indecent exposure, prostitution, or allows a child to be used in any sexually explicit visual material.

Infants who have been medically diagnosed for exposure to non-prescription drugs or alcohol during pregnancy are also considered to be at risk of abuse or neglect. Attending physicians are required to report these cases to CPS.



REQUIRED

REPORTING

Anyone may report suspected child abuse and neglect; however, pursuant to the Code of Virginia, certain professionals are required to report. These professionals include:

- persons licensed to practice medicine or any of the healing arts
- hospital residents or interns
- nurses
- social workers
- probation officers
- teachers
- child care providers
- mental health practitioners
- accredited Christian Science practitioners
- law enforcement officers
- volunteer, court appointed special advocates
- court certified mediators
- professional staff employed by a hospital, institution, or facility in which children are placed
- persons associated with or employed by any private organization responsible for the care, custody, and control of children.



THE DIFFERENTIAL

RESPONSE SYSTEM

Since the enactment of Virginia's child abuse and neglect statutes in 1975, all valid reports of suspected child abuse and neglect have been investigated by CPS. This singular response focused resources on investigating the reported incident, i.e., gathering the facts to determine if abuse or neglect occurred, identifying persons responsible, and determining the risk of future maltreatment.

The Differential Response System allows localities flexibility in responding to reports of abuse and neglect taking into consideration the severity of the report, immediacy of child safety concerns, and family needs. The alternative response to an investigation is a family assessment that focuses resources on conducting a child safety and family needs assessment, building upon family strengths, and providing needed services. Valid reports are thus assigned to receive an Investigation or a Family Assessment Response.

Investigation Response

Valid CPS reports will be considered for an Investigation Response when there are immediate child safety concerns and/or the type of report is required by the Code of Virginia to be investigated including, but not limited to:

- Sexual abuse
- Fatalities
- Serious injuries
- Hospitalization due to suspected abuse/neglect
- Physical abuse requiring medical evaluation and/or treatment
- Abandonment
- Injury due to use of weapons such as guns or knives
- Institutional abuse/neglect

The purpose of the investigation is to protect the child; determine if abuse/neglect occurred; identify the abuser/neglector; and provide services to prevent recurrence. Joint investigations with law enforcement and/or regulatory authorities, in accordance with local protocols, may occur.

Each CPS investigation results in a finding of Founded or Unfounded within 45-60 days of report. Founded reports are kept by local social services departments and the Virginia Department of Social Services, Central Registry of Founded Child Abuse and Neglect for 3 to 18 years depending upon the severity of the incident.

Family Assessment Response

Reports may be considered for a Family Assessment Response when there are no immediate child safety concerns and/or the report is not required by law to be investigated such as:

- Minor physical injury
- Injuries suggesting inattention to child's safety
- Lack of supervision
- Minimal needs for food, clothing, shelter, hygiene are inconsistently met
- Untreated physical injuries, illnesses, or impairments
- Emotional neglect/abuse
- Substance exposed newborns

The goals of a Family Assessment Response are the same as for the CPS program: the protection of children; preservation of families, when possible; and prevention of maltreatment.

The Family Assessment Response shifts CPS intervention from an incident focus to a service delivery focus that supports parents in meeting their children's safety and developmental needs. The CPS worker collaborates with the family in identifying family strengths, stressors, and other factors likely to precipitate abuse or neglect. Family assessment provides the basis for a child safety plan and for an individualized family service plan.

The family assessment is completed within 45-60 days from the date the report of suspected abuse or neglect was received. No finding of abuse or neglect is made and no information is placed in the Virginia Department of Social Services, Central Registry of Founded Child Abuse and Neglect.

Reclassification of CPS Response

The local department of social services may investigate any valid CPS report. During the course of an assessment if child safety concerns become apparent or there is evidence of severe abuse/neglect, the CPS worker may determine that the report should be investigated. The report will then be reclassified to receive an Investigation Response.

Feedback from CPS

Section 63.1-209 of the Code of Virginia permits the CPS worker to provide feedback to persons having a legitimate interest such as school personnel, child care providers, service providers, and law enforcement when it is in the best interests of the child. Minimally, reporters will be informed, in writing, that a report has been investigated or assessed and determined to be unfounded or necessary action was taken.

CPS AUTHORITIES AND RESPONSIBILITIES

The Code of Virginia empowers CPS with designated authorities and responsibilities in responding to reports of suspected abuse and neglect and ensuring child safety. These authorities and responsibilities apply to both investigations and family assessments and include:

- Immediate response
- Interviews with:
 - the alleged victim
 - siblings
 - parent, alleged abuser/neglector
 - other persons having information
- Observation of the family home
- Authority to take a child into protective custody when there is immediate danger
- Authority to petition the Court
- Authority to take photographs and arrange for x-rays
- Responsibility to report designated incidents to law enforcement and the Commonwealth's Attorney
- Responsibility to arrange protective and rehabilitative services
- Responsibility to create and coordinate community partnerships to ensure effective services delivery to families affected by child abuse/neglect.



COMMUNITY

PARTNERSHIPS

The safety and well-being of children is a community responsibility shared by families, neighborhoods, service providers, schools, community leaders, the faith community, and others. CPS has the legal authority to protect children but is one component of a community of people and services providers in a position to identify and assist troubled families in keeping their children safe.

The success of the CPS Differential Response System is dependent upon the extent to which communities are proactively committed to improving the health, safety, and well-being of those families and children affected by abuse or neglect.

Successful community child protection networks are characterized by:

- Community consensus on the need for integrated services designed to keep children and family members safe at all times
- Clearly articulated partnerships able to maintain commitments
- Collaborative use of informal resources to support families such as the faith community, extended family, and other community groups
- Prevention strategies for at-risk families
- Crisis response to suspected abuse or neglect
- Therapeutic services for families and children affected by abuse or neglect
- Services and supports that are:
 - coordinated
 - culturally responsive
 - accessible
 - family needs driven
 - family empowerment focused



BENEFITS OF

CPS REFORM

Localities utilizing a community based child protection approach report the following benefits for families, services providers, and communities:

Families

- Active involvement in identifying and addressing family strengths and needs
- Family empowerment to ensure child safety and well-being
- Less intrusive services
- Improved access to community services and supports that are responsive to family needs
- Avoid stigma associated with labeling and name retention in the Child Abuse Central Registry
- Increased service satisfaction

Community

- More efficient and effective use of limited community resources through interagency collaboration
- Capitalizes on each discipline's expertise
- Cost effective service through early intervention services
- Stronger families that are better integrated into the community

CPS

- Timely response to child safety concerns
- Shared community responsibility for ensuring child safety, maximizing the ability to protect
- Emphasis on services designed to strengthen families and foster self-reliance

REPORTING

CHILD ABUSE AND NEGLECT

The Code of Virginia requires that mandated reporters immediately report suspected child abuse or neglect to the local department of social services or to the Child Abuse and Neglect Hotline.

You need not prove that abuse or neglect has taken place or determine the type of needed CPS response. Local departments of social services are responsible for making these determinations.

To report child abuse or neglect, call the local social services department or the State's toll-free Child Abuse and Neglect Hotline at 1-800-552-7096. The Hotline is answered by social workers 24 hours a day, seven days a week.

Child Abuse Hotline
1-800-552-7096

(Voice/TDD accessible)

